



**TENNESSEE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD  
EXECUTIVE COMMITTEE MEETING  
Meeting on January 12, 2021**

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**MINUTES**

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The Executive Committee meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 9:00 a.m., via WebEx Telephonic Conferencing per Executive Order No. 16 which permits an electronic meeting without a physical quorum in order to accomplish necessary business for the public health and safety of Tennesseans.

**Executive Committee Members Present:**

Wayne Hastings, Vice Chairman  
Eddie Hood  
Bobby Pitts

**TPUC Staff Present:**

Aaron Conklin, Legal Advisor to the TPUC staff  
Ryan McGehee, Legal Advisor to the TUUDEB  
Stacy Balthrop  
Monique Brazelton  
Kelly Cashman-Grams  
Slayde Warren

**Also Present:**

Bill Turner  
Craig Ingram

**Roll Call & Minutes:**

Mr. Ryan McGehee opened the meeting and took roll call which confirmed Vice Chairman Wayne Hastings, Mr. Eddie Hood, and Mr. Bobby Pitts as present. The Committee considered the Minutes of the meeting of December 16, 2020. A motion to approve the Minutes by Mr. Pitts was seconded by Mr. Hood and approved unanimously. Three members voting on this motion, the motion carries 3-0.

**Presentation of Investigation of Complaints:**

The Committee heard and ruled on the following complaints:

**EB20-0190-**

**Alleged Violator:** Dennis Galant  
**Alleged Excavator:** Unknown  
**Complainant:** Property Owner  
**Facility Type:** Gas  
**Equipment:** Unknown  
**Root Cause:** No notification made to Tennessee 811  
**Finding:** No violation.

**EB20-0192-**

**Alleged Violator:** L&G Construction  
**Alleged Excavator:** Unknown  
**Complainant:** Atmos Energy  
**Facility Type:** Gas  
**Equipment:** Backhoe  
**Root Cause:** Failure to use reasonable care within the tolerance zone  
**Finding:** No violation

**EB20-0196-**

**Alleged Violator:** Color Burst Landscapes  
**Alleged Excavator:** Unknown  
**Complainant:** Atmos Energy  
**Facility Type:** Gas  
**Equipment:** Trencher  
**Root Cause:** No notification made to Tennessee 811  
**Finding:** In violation for failure to give notice prior to excavation, Jake Demonbreun ordered to attend compliance training, and a civil penalty of \$625 assessed for subsequent violation.

**EB20-0197-**

**Alleged Violator:** AT&T  
**Alleged Excavator:** Marshall Spencer  
**Complainant:** Property Owner  
**Facility Type:** Telecom  
**Equipment:** Unknown  
**Root Cause:** Facility was not located or marked.  
**Finding:** In violation for failure to mark or locate facility and a civil penalty of \$1,250 assessed for subsequent violation.

**EB20-0199-**

**Alleged Violator:** Telegenix  
**Alleged Excavator:** Adam Polk  
**Complainant:** Horton Highway Utility District  
**Facility Type:** Gas  
**Equipment:** Trenching Plow

**Root Cause:** No notification made to Tennessee 811

**Finding:** In violation for failure to give notice prior to excavation, Adam Polk ordered to attend compliance training, and a civil penalty of \$625 assessed for subsequent violation.

**EB20-0200-**

**Alleged Violator:** Vic Davis Construction

**Alleged Excavator:** Tyler Davis

**Complainant:** Atmos Energy

**Facility Type:** Gas

**Equipment:** Backhoe

**Root Cause:** Excavating beyond the 15-day expiration

**Finding:** No violation

**EB020-0206-**

**Alleged Violator:** D&L Dirtworx

**Alleged Excavator:** Matt Davis

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Backhoe

**Root Cause:** Failure to use reasonable care within the tolerance zone

**Finding:** In violation for failing to use reasonable care within the tolerance zone and Matt Davis ordered to attend compliance training.

**Consent Agenda: EB20-0168, EB20-0189, EB20-0191, EB20-0194, EB20-0202, and EB20-0212-**

**Alleged Violator:** First Violations

**Root Cause:** Failure to notify Tennessee 811

**Finding:** In violation for failure to give notice prior to excavation. Specific individuals to take training shall be determined by the Staff.

**Update of Training Program by Tennessee 811 and Legislative Update**

Mr. Turner reported that in 2020, 109 individuals from 94 organizations were trained; while the program totals are now 456 individuals from 359 organizations have been trained. In 2021, there have been 2 individuals trained with more on the January schedule. The bill from the last legislative session has filed in the State House of Representatives.

**Discussion of future topics for next executive committee meeting.**

Future discussion topics include clarification of the enforcement board training sessions and the potential number of complaints for the upcoming February meeting were discussed.

The Executive Committee meeting adjourned at 9:26 a.m.